

THIS INDENTURE, Made on the Fifth day of January A.D. One Thousand Nine Hundred and Thirty-nine by and between Frank Childress and Minnie H. Childress, his wife, and J. Paul Childress and Rose Childress, his wife,

of Joplin, Jasper County, Missouri
Clyde Adams and Mabel Adams, husband and wife,
part 108 of the First Part, and
of the County of Jasper in the State of Missouri

part 108 of the Second part:

WITNESSETH, That the said part 108 of the First Part,

Two Thousand and no/100

to them paid by the said part 108 of the Second Part, the receipt of which is hereby acknowledged, do

Convey, and Confirm unto the said part 108 of the Second Part, his heirs and assigns, the following described Lots, Tracts, or Parts of Land lying,

being and situate in the County of Jasper, and State of Missouri, to-wit:

DOLLARS.
by these presents, Grant, Bargain and Sell,
herein said assigns, the following described Lots, Tracts, or Parts of Land lying,

All of Lots 2, 3, 4, 5, 6, 7 Continental Addition to the City of Joplin, and a tract of land in the Northeast corner of Miscellaneous Tract 39, Section 3, Township 27 North, Range 33 West in the City of Joplin, described as follows: Commencing at a point 258.5 feet North of the Northeast corner of Lot One (1) Empire Mine Company's First Addition to the City of Joplin; said point being the Northeast corner of Fifth Street and Empire Avenue; thence North along the East line of Empire Avenue 149 feet to the South line of Continental Addition to the City of Joplin; thence East along said South line of Addition 100 feet; thence South parallel to the East line of Empire Avenue 149 feet to the North line of Fifth Street as now improved; thence West 100 feet along said North line of street to the point of beginning.

(Rev. Stamps)
{ \$2.00
{ Canceled }

TO HAVE AND TO HOLD, The premises aforesaid, with all and singular the rights, privileges, appurtenances, and immunities thereto in anywise, or in any wise appertaining unto said part 108 of the Second Part, and unto his heirs and assigns FOREVER, unto the said first Parties

hereby representing that they are lawfully seized of an undivided part in fee in the premises herein conveyed; that they have good right to convey the same, that the said premises are free and clear of any incumbrance or claim or interest by them or those under whom they claim and that they will WARRANT and DEFEND the title of said premises unto the said part 108 of the Second Part, and unto his heirs and assigns FOREVER against the world claims and demands of all persons whomsoever. Subject to taxes due and payable in the year 1938 and thereafter, which grantee assumes and agrees to pay and any building restrictions, and to any streets or alleys heretofore dedicated or deeded.

IN WITNESS WHEREOF, The said parties of the First Part by us hereunto set their hand and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of us.

Frank Childress (SEAL)
Minnie H. Childress (SEAL)
Paul Childress (SEAL)
Rose Childress (SEAL)

STATE OF MISSOURI

County of Missouri

On the 5th day of January 1939, before me, a Notary Public in and for said County,

and J. Paul Childress and Rose Childress

personally appeared

his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal as my office

is Joplin in said County and State the day and year first above written.

My term expires June 26, 1942. 193

Frances R. Mardock Notary Public.

STATE OF MISSOURI

County of

On this day of 193

before me,

personally appeared described in and who executed the foregoing

to me known to be the persons described in and who executed the foregoing

received the same as for act and deed. And the said

to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal as my office

is the day and year first above written.

My

Notary Public.

Filed for record, this 20th day of

JAN. 1939, at 7 o'clock

A. D. 1939, at 7 o'clock

Notary Public.



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CF125

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Carl Junction, in said County and State, the day and year first above written.

My term expires March 18, 1942. (SEAL) Charles W. Roney, Notary Public.

Filed for record this 21st day of Jan., 1939 at 12 o'clock 34 minutes P. M.

Charles W. Roney
Recorder.

NOTICE OF LIS PENDENS.

TO WHOM IT MAY CONCERN:

Take notice that an action has been commenced and is now pending in the Circuit Court of Jasper County, Missouri, by Harry O. Neff as plaintiff, against Richard W. Cole, Frank Childress, Ina Carnes, Cole Investment Company, a corporation, H. M. Bennett, J. D. James and B. & C Development Company, a Corporation, defendant; that said suit is returnable as to said defendants at the February Term, 1939, of Circuit Court, at Carthage, Missouri, in which said action it is sought by plaintiff upon behalf of the Cole Investment Company, its stockholders, and creditors, to have set aside and for naught held certain warranty deeds, wherein the following described real estate and fixtures, situated and located in Jasper County, Missouri, to-wit:

Commencing at a point on the southeast corner of Lot 13 at the intersection of Seventh Street and McCoy Avenue, thence west along the north line of said Seventh Street to the Southwest Corner of Lot 25, thence at right angles north four hundred and fifty feet, thence east along a line parallel with the north line of said Seventh Street to point approximately six hundred and forty-five and six-tenths feet intersecting the extended western boundary line of McCoy Avenue, thence south at right angles along said line to the point of beginning. Being a part of the South one-half of the South East one-fourth of Section Four, Township Twenty-seven North, Range Thirty-three West.

was conveyed by the Cole Investment Company, a Corporation, to H. W. Cole and H. M. Bennett, said deed being recorded in the office of the Recorder of Deeds of Jasper County, Missouri, in Book . . . at Page . . . ; and further in said action it is sought to set aside and for naught held a certain warranty deed, wherein the following described real estate situated and located in Jasper County, Missouri, to-wit:

All of a tract of land situate in and a part of Childress Addition to the City of Joplin, described as follows:

Commencing at a point at the Southeast Corner of Lot 13 in said Childress Addition, said beginning point being at the intersection of Seventh Street and McCoy Avenue; thence West along the North line of said Seventh Street to the Southwest Corner of Lot 25 in said Addition; thence at right angles North 450 feet; thence East along the line parallel with the North line of said Seventh Street approximately 645.6 feet to point of intersecting and extended western boundary line of McCoy Avenue; thence south at right angles along said western boundary line of McCoy Avenue to the point of beginning, said above described tract being a part of the South Half of the South East Quarter of Section 4, Township 27, Range 33.

was conveyed to the B. & C Development Company, a Corporation, by H. S. Cole and Mamie E. Cole, his wife, and H. M. Bennett and Martha Bennett, his wife, said deed being recorded in the office of the Recorder of Deeds of Jasper County, Missouri, in Book . . . at page . . . ; all because of breach of duty on the part of the defendants therein to the Cole Investment Company, a Corporation, and a violation of the duty and trust imposed upon the defendant directors and officers of said Cole Investment Company, in executing said conveyances; and in these premises to re-vest the title to real estate above described in the Cole Investment Company, a Corporation; and for further equitable relief.

Harry O. Neff
By Walden E. Andrews
Ralph E. Baird,
His Attorneys.

Filed for record at 1 o'clock 30 minutes P. M. Jan. 21, 1939.

Charles W. Roney
Recorder.